

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

COUNTY OF NIAGARA,

Plaintiff,

v.

DECISION AND ORDER
14-CV-737A

NETHERLANDS INSURANCE COMPANY,
EXCELSIOR INSURANCE COMPANY, T.G.R.
ENTERPRISE, INC. and MICHAEL LOMBARDO,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On May 24, 2016, Magistrate Judge Foschio filed a Report and Recommendation (Dkt. No. 22), recommending that plaintiff's motion to remand (Dkt. No. 9) be denied and that insurance defendants' motion to dismiss (Dkt. No. 10) be dismissed as moot.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, plaintiff's motion to remand is denied and insurance defendants' motion to dismiss is dismissed as moot.

The case is referred back to Magistrate Judge Foschio for further proceedings.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: June 14, 2016